

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No: S&B-B750 NOV 16 2000

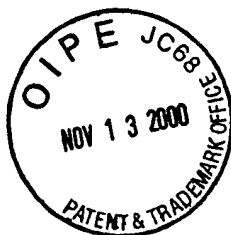
In re patent application of

GEORGES *et al.*

Serial No.: 09/235,153

Filed: January 22, 1999

For: METHOD AND COMPOSITIONS FOR MODIFYING LEVELS
OF SECONDARY METABOLIC COMPOUNDS IN PLANTS



Group Art Unit: 1638

Examiner: O. Zaghmout

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TECH CENTER 1600/2900

RESPONSE TO COMMUNICATION DATED OCTOBER 3, 2000

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Responsive to the communication dated October 3, 2000 in connection with the captioned application, submitted herewith are copies the submission of April 22, 1999, including (1) Response to Notice to Comply . . . , (2) Sequence Listing in paper form, and (3) a copy of the envelope in which a diskette with the sequence listing in computer readable form was submitted. Also, submitted herewith is a copy of the PTO Mail Room Receipt for the foregoing including applicant's check and other papers filed with the above-mentioned items.

Accordingly, it is respectfully submitted that applicants timely filed all of the items listed in the Notice to Comply of February 22, 1999 with the documents filed April 22, 1999. It is respectfully submitted that the communication of October 3, 2000 is erroneous insofar as it indicates that a sequence listing in computer readable form had not been filed. In point of fact, a sequence listing in computer readable form was filed on April 22, 1999, as evidenced by the attached copy of the envelope which contained the same and the copy of the PTO card receipt for same.

Notwithstanding the foregoing, applicants submit another diskette with the sequence listing in computer readable form and the undersigned hereby declares that the

Serial No.

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"Paper Copy" submitted on April 22, 1999, another copy of which is submitted herewith, has the same content as the computer readable form (diskette) submitted herewith.

In view of the foregoing facts, it appears that the U.S. Patent and Trademark Office misplaced the CFR Sequence Listing which applicants filed on April 22, 1999. Under the circumstances, applicants should not be charged any surcharge or fee, or extension.

However, if any extension or fee is nevertheless required, any required fee may be charged to the Deposit Account of the undersigned, Deposit Account No. 12-2174.

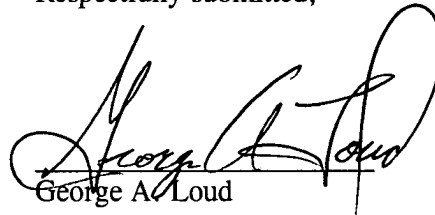
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Respectfully submitted,

11/9/00
Date


George A. Loud
Reg. No. 25,814

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The Commissioner is hereby authorized to charge any deficiency or credit any over-payment to Deposit Account No. 12-2174

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TO:

SEQUENCE LISTING

Name of Applicant/Patentee: GEORGES et al

Serial No.: 09/235,153